

MINUTES
FINGER LAKES TELECOMMUNICATIONS DEVELOPMENT CORP., d/b/a AXCESS ONTARIO
MEETING OF THE BOARD OF DIRECTORS
April 23, 2010

Members Present:

Darlys McDonough, Ontario County Deputy Administrator
Edward Hemminger, Chief Information Officer, Ontario County
Michael Manikowski, Ontario County Economic Developer
Doug Mossbrook, Eagle Mountain, Inc.
Steve von Berg, Pervasive Solutions
David R. Smith, Ontario County Citizen
Robert Seem, Cornell Ag & Food Tech Park
Camille Sorensen, Wayne Finger Lakes BOCES
Mike Ward, Vice President, Information Technology, Ultralife Corporation
John Sheppard, Supervisor, Town of Seneca

Others Present:

Andy Lukasiewicz, ECC Technologies
James Townsend, Esq., Remington, Gifford, Williams & Colicchio
Linda Wiener, on behalf of The Bonadio Group

The Meeting for the Board of Directors of the Finger Lakes Regional Telecommunications Development Corporation (dba Axxcess Ontario) was called to order by David R. Smith at 10:00 a.m. in the conference room of the Ontario County Economic Development Office.

WEBSITE UPDATE

Ed Hemminger gave overview of the new website using a projector. A brief discussion on social media took place.

AUDIT COMMITTEE UPDATE

Linda Wiener updates the committee on changes to the 990 report. Page 6, there are only 9 voting members. The second item is question 2 on page 6 asks "Did any officer director, trustee or key employee have family relationship or business relationship with any other officer, director, trustee, or key employee?" The answer is really "yes" because there are 3 individuals on this board that are part of Ontario County. In section O on the 990 where you explain anything that is an answer that would not be the norm. Question 15 on page 6 asks if we have a process when determining compensation for the CEO, Executive Director, top management official? We don't have staff but we do have a process. We should have responded yes to question 15. The next change is on page 4. Question 28 asks "if an entity of which a current or former officer, director, trustee, or key employee was an officer, director, trustee or direct or indirect owner, we will answer yes that is in regards to the 3 individuals that are county employees. The only other change is where we list the board members, we have to put some average hours per week. We gave everyone 1 hour if they were a board member. We meant to give Ed Hemminger 4 and Geoff as 1. The board acknowledges that has reviewed the 990 form and approved with the above changes. A copy of the 990 will be provided, with comments received and changes made. The Treasurer approved the 990 and it will be filed by the deadline of May 17th, 2010.

LEGAL UPDATE AND PROPERTY TAX UPDATE

Minutes
FLRTDC

Jim Townsend updated the committee on the property tax. The tax value is \$3.85 per foot based on information from the ECC. Doug Mossbrook comments that if this is a not for profit company, why aren't we exempt. Ed Hemminger informs the board that there is not a law that allows us to be exempt.

ACCOUNTING SERVICES UPDATE

Linda Wiener presented 3 reports; Balance Sheet Previous Year Comparison, Balance Sheet Previous Year Comparison, Profit & Loss YTD Comparison.

Ed Hemminger commented on the PARIS Reporting. The cost from Bonadio was \$2500-\$3000 to cover putting in 3 years of back data and getting us up to speed.

CEO UPDATE

Ed Hemminger told the committee that the Ontario Telephone IRU is awaiting Citizen's approval to pay. Once they have approved to give us the money to pay Ontario Telephone then we will execute the IRU and get the money from the bank so we can pay them.

Ed Hemminger reports that there has been no activity on the lateral loan. We are awaiting invoices from Syracuse Utility and ECC for any additional lateral work that has been done. The faster we get those invoices, the faster we can get the lateral loan at the current rate and as interest rates continue to climb, we will be paying for everything over 7% because of the contract we have with Verizon.

Ed Hemminger gave a quick review of activities. He told the board that non-disclosure agreement with AT&T Wireless. The cost of using the towers needs to be decided.

Ed Hemminger informed the board that he and Mike Manikowski did a presentation at the FLCC Victor Campus. All four of the service providers were there. It was well received and the community seemed to be really excited. The day before that Senator Schumer had visited and he has requested that the FCC come to Ontario County and look at the fiber ring as a national model.

Dixon Schwabl

Ed Hemminger distributed a Dixon Schwabl brainstorming document and updated the board on the Google contest application. We need to find ways to generate interest. Google is really interested in community involvement and commitment. We need to set up a Facebook page and set up a YouTube video.

Joe Starks informed the board that ECC will be setting up an office on Main Street, Canandaigua. This will bring jobs into Ontario County.

Design, Engineering and Construction Update

Andy Lukasiewicz reports that there were no outages. There are two aerial crews and two underground crews. There efforts have been focused on the portion of the network that goes down near Naples. There are nine Verizon sites that are there. They have completed the Victor-Holcomb Road and is up and running. West Bloomfield site will be turned on in May. We will be adding two new cell towers to our billing.

Minutes
FLRTDC

General discussion took place regarding the proposal for CCO. Ed Hemminger told the board they did not need to make a decision today, but a resolution is needed to extend their \$125/hourly rate until the next Access Ontario meeting. A motion was made by Joe Starks and was seconded by Mike Manikowski and carried.

Conflict of Interest discussion took place. What conflict might the ECC contract create?

Being no further business to come before the Board, the meeting was adjourned. The next Board Meeting is scheduled for 10:00 p.m. on June 25, 2010 in the Economic Development Conference Room.

Respectfully submitted,
Reliefia Kramer

Distribution:

All attendees, present and absent
Ontario County Board of Supervisors
Darlys McDonough, Deputy County Administrator
Maureen Duggan, Economic Development

John Park, County Attorney
Clerk's Office, Board of Supervisors
Cathy Bentzoni, County Finance Officer
Mary Gates, Economic Development